IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.1408/06

Shri.Sayyed Illahi Bagwan ... Applicant

V/s.

The State of Maharashtra .... Respondent

Miss.Revati Mohite-Dere with Miss. Choudhari Adv. for the applicant.

Miss.M.H. Mhatre APP for the State.

CORAM : V.M. KANADE, J.

DATED : 24/04/06

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.No.131/05 registered with Akluj Police Station for the offences punishable U/s.395, 397 of IPC. Chargesheet has already been filed. Other two accused have been released on bail. Present applicant has not been identified in ID parade. Taking consideration this fact, in my view, the applicant is

entitled to be released on bail because he is having fixed place of residence.

3. The applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The applicant shall report to Akluj Police Station, Solapur once in a month.

4. The applicant shall not tamper with the evidence or threaten the witnesses. If any complaint is received by the Investigating Officer, the Public Prosecutor is at liberty to file an application for cancellation of bail.

5. The Trial Court shall not be influenced by any observations made by this Court while deciding the application and they shall not be construed as an expression of opinion on merits of the case.

6. The application is accordingly disposed of.

V.M. KANADE J.